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THE

# Relation of Civil Service Reform

TO

## Municipal Administration

AN ADDRESS

DELIVERED AT THE ANNUAL MEETING OF

### The National Civil Service Reform League

MILWAUKEE, WIS.

DECEMBER 15, 1905

BY

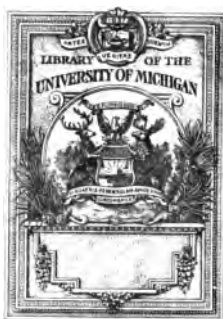
*Prof. JOHN A. FAIRLIE*

Of the University of Wisconsin, *Milwaukee*

PUBLISHED FOR THE

NATIONAL CIVIL SERVICE REFORM LEAGUE

1906.



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## The Relation of Civil Service Reform to Municipal Administration.

THE problems of municipal administration present a manifold and complex variety of topics. Some are political, such as the regulation of nomination and election methods. Some dealing with the machinery of local organization and the relations of the city to the State government, are administrative. Others involve questions of economic policy as to the proper scope of municipal activity. While still others embrace in themselves a wide variety of problems in engineering, sanitary science and other technical subjects.

It is the purpose of this paper to consider only one aspect of the administrative problems, the application of the principles of civil service reform in the organization of municipal government. These principles hardly need to be enumerated here. But they may be briefly summarized as the selection of public officials and employees on the basis of their ability and fitness for their public duties, rather than as rewards or opportunities for private or party service; and the maintenance of the public service on the basis of honesty and the highest efficiency.

That any discussion or argument in support of these principles is necessary is of itself evidence of a strange misconception of the purposes of municipal government. And it is surely enough to establish the fundamental principles to point to the laws creating public positions and prescribing their duties. These at least assume that the public servants are provided to perform public functions.\*

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\* The standard treatise on the law of public officers states that it is the duty of the governor to see that fit and competent officials are appointed by him.—Mechem: Public Officers, Sec. 590. And the same principle must apply also to municipal appointments.



And the hardest spoils politicians have not yet ventured to place their principle "To the victors belong the spoils" openly on the statute book.

Nevertheless, it is only too clear, that the plain intent of the law is frequently and systematically evaded in most of our large cities. Appointments are made of persons who have little or no competence for their positions, as rewards for past or future political services. And to make room for such appointments experienced officials and employees are removed. As a result the public service is notoriously inefficient and at times almost demoralized. The inherent dishonesty to the community in such appointments makes it an easy step to more flagrant neglect of duty and corruption of the worst sort. While the whole system tends to debauch and corrupt the electorate by offering places for votes.

Looking simply at its direct effect on municipal administration, a brief analysis will show the importance of efficient and expert officials. Municipal administration is already a complicated series of technical services. To maintain order and security a police force must be maintained, under semi-military discipline, requiring qualifications of physical strength, courage and honesty for any effective work. To prevent destruction by fire, there must be a fire department, whose members should have the highest physical skill and technical knowledge of the intricate apparatus used. To safeguard the health of the community there must be a department with expert sanitarians, chemists and bacteriologists. To provide the essential conveniences of city life there must be civil engineers to lay out streets and construct pavements and sewers, hydraulic engineers to manage water works, and sanitary engineers to solve the problems of garbage and sewage disposal. To lay out and care for the public parks there must be landscape architects and gardeners. To administer public charity wisely and not wastefully requires trained students of practical philanthropy; and in public hospitals a corps of physicians and trained nurses. To carry out the policy of public education there must be not only competent elementary teachers, but in the high schools those with the highest specialized education, and

over all efficient educational administrators. To keep track of the finances in these various fields of expenditure demands a force of expert accountants; and to equitably assess taxes there should be an equally expert body of assessors. While to deal with the many legal questions which arise, every large city must employ a number of attorneys, specially versed in questions of municipal law.

Our cities do not have to wait for municipal street railways to be face to face with most serious problems of technical administration. Even now the corps of municipal officials and employees represents every main division of industrial and professional life. Lawyers, teachers, accountants, engineers of almost every sort, besides executive administrators, are essential to carry out the accepted functions of municipal government.

Positions such as these cannot safely be filled on any such basis as political service. Each field is a special profession requiring years of training; and those who are most competent have too many opportunities in private business to devote much time to political campaigning; while they are also likely to hesitate about accepting a municipal position with the uncertain tenure of a political appointment. Moreover, the municipal service for most of these professions is of itself a specialized branch, where the highest degree of efficiency can only be secured by continued practice. A city attorney who serves only for a few years cannot be so competent in the law on municipal questions as a corporation lawyer who devotes his life to corporation law is on that subject. And a civil engineer who serves for a while as a city officer and then in railroad building is not likely to be either the most competent city engineer or the most competent railroad engineer. What is needed is a class of municipal specialists in law, accounting, engineering and other fields of action. And these can only be secured under a system of selection which excludes political motives and insures a tenure based only on efficiency and competence.

Conditions in this regard are different from those in earlier periods. It has sometimes seemed to me that there was a certain harmony between the principle of rotation in office and conditions which prevailed in this



country during the first half of the nineteenth century. While the country was being settled there was a constant movement of population from place to place and frequent changes of occupation. Short terms of office and frequent changes were then in accord with the restless customs and practices of the people in their private business. And it might have been argued that an officeholder who wished to hold an office for many years doubtless lacked the ability to take advantage of opportunities for bettering his situation.

But these conditions are no longer in force. At the present time the jack-of-all-trades is almost certainly so because he lacks the ability to become master of one. The successful man in private business is the specialist who devotes his life to one purpose. And what is true of the individual in private life is true also for those who hold positions in the municipal or other public service. The largest results will come by division of labor and concentration of effort. The best public servants will be those who give the longest time to the public service; and that city or State will get the best results which looks for the most capable men and keeps them in its service so as to secure the advantage of their increasing experience.

Some steps have been taken to apply the principles laid down to the municipal service. Systems of civil service examinations have been established in a number of cities applying to most of the subordinate positions. Appointments to these positions are based on the results of open competitive examinations and probationary service; with the result that these places are to a large extent taken "out of politics." In some other cities the police and fire departments are more or less protected against political appointments. And more generally school teachers are selected with comparatively little reference to political influence.

Into the details of these systems it is not necessary to go here. They have placed a smaller or larger part of the municipal employees on a sound administrative footing; and although the law is sometimes evaded by hostile officials, the results have been a great improvement in the standards of municipal work. In other cities efforts

towards the same end are being made. And the extensions of these systems as rapidly and as far as possible is one of the most important municipal reforms at the present time.

But what has been accomplished in most of these cases applies mainly to the subordinate posts in the municipal service. These are by far the largest in number. But the important positions, and above all the officers as distinguished from the employees of our cities, are still chosen largely or mainly for political reasons. And until these too are chosen solely for ability, competence and honesty, no satisfactory municipal administration can be secured.

Political appointments to the higher posts affect the character of municipal work in two ways. Such officials are likely to seek to evade whatever regulations are established for the subordinate service so as to reward their political supporters; and in this way they prove a constant obstacle in the application of the merit system so far as introduced. But of even more importance is the fact that it is in the case of the higher officials that incompetence and inexperience proves most costly to the city. Some gain is made when the clerical and routine work is well done. But much more is lost if serious blunders are made in the main plans, or in the direction of their execution.

Incompetent city engineers may easily double the necessary cost of an important scheme of public improvement. City comptrollers have generally had so little knowledge of accounting that it is almost impossible for any one to understand their financial reports. City attorneys who know more politics than law are likely to recommend useless litigation and in other cases to surrender the legal rights of the city. And city clerks who are changed every few years cannot perform one of their main functions as a source of information on the previous actions of the municipal government.

How can these principles of civil service reform be applied to these higher municipal officials? The methods employed in selecting employees for subordinate positions will hardly be in every detail the most effective for these



more important posts. Something more is needed than a test of their technical knowledge. What is wanted are those who know best how to apply their knowledge in a constructive manner, and those who have the peculiar form of ability known as executive or business capacity. Moreover, for these posts the test of brief probationary appointments cannot well be applied. For those best fitted for such places will be already engaged in similar work, and are not likely to abandon a permanent position for a probationary appointment in the public service.

These difficulties require some changes in methods. But such changes of detail are by no means impossible or inconsistent with the main principles of the merit system. The important point is to find the methods best adapted for various classes of offices.

One of the first steps that must be taken in many cities is to take these higher administrative posts out of the class of elective offices. Popular election necessarily introduces political factors into the choice of officers, and for officers who have political functions to perform popular election is essential in a democratic government. But city clerks, city attorneys, city comptrollers, commissioners of public works and city engineers have no political functions to perform. Their work not only has no relation to national politics; it has no relation to municipal politics. Their duties are strictly administrative and call for the same qualifications whether a city votes for or against municipal ownership, and whether it votes for or against a "wide open" saloon policy. And whatever other method is employed, it is clear that popular election is not the best method to test technical and administrative ability. Moreover, by removing such officers from the elective list, the attention of the voters will be concentrated on the personal merits of the candidates for the political offices, and better results may be hoped for the latter under such conditions.

But appointments, whether by mayor or council, will be made by political officials; and, so far as discretion is left to them, there is still the danger that political motives will be a controlling factor. To reduce this danger, another step, which is still within the purposes of this Association, is to eliminate the official recognition of national

parties in municipal elections. I am not at all confident that it is possible by law to prevent the national party organizations from taking an active part in local campaigns. But at least the law should not recognize them officially, and should require each candidate for municipal office to appear on the ballot simply as an individual. This will not eliminate politics, or even national politics, from municipal elections. But it will tend to reduce these factors to some extent.

In the next place, appointments to the higher positions should be for an indefinite term. The power of removal must be retained for such offices, as a means of control over incompetent officials; and this will make it possible for removals to be made for political reasons. But to create a vacancy by removal is at least somewhat more difficult than to find one by the expiration of a definite term. And the law at least will stand for the principle that the competent officials are to be retained so long as they perform their duties satisfactorily. This rule has been established in the new Indiana municipal code. It also applies to most of the heads of departments in New York City; and is probably responsible for the retention of one commissioner appointed by Mayor Low in the present administration.

These various provisions, it is believed, will do something towards reducing political influences in filling the higher offices. But they can hardly be expected to secure their disappearance and the selection of these officers mainly from considerations of ability and experience. For that purpose, some provision must be made for a systematic investigation of the qualifications of various applicants, so as to determine who is best fitted for the place.

Such an investigation should, however, be somewhat different from the examinations for subordinate places. It should test not only technical knowledge, but also practical experience and constructive ability. Such tests can be applied. They are now used in many cases by the United States Civil Service Commission, for technical and professional positions in the national administration. They are used to a large extent in the system for regulat-

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